

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RUSSELL K. HILL, <div style="text-align: right; padding-right: 40px;">Plaintiff,</div>)	
)	
vs.)	Case No. 2:15-cv-01122-RFB-NJK
)	
UNITED STATES,)	ORDER
)	
Defendant.)	(Docket No. 3)

This matter is before the Court on Plaintiff Russell Hill's Second Application to Proceed *In Forma Pauperis*, filed July 27, 2015. Docket No. 3. Plaintiff, who is a prisoner in the custody of the South Mississippi Correctional Institution, has requested authority, pursuant to 28 U.S.C. § 1915, to proceed *in forma pauperis*. This proceeding was referred to this court by Local Rule IB 1-9.

Plaintiff filed a prior application to proceed *in forma pauperis*, on June 15, 2015. Docket No. 1. On June 29, 2015, the Court denied Plaintiff's application without prejudice, because it was incomplete. Docket No. 2. Specifically, the Court informed Plaintiff that, pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, he was required to complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. *Id.*, at 1. In his first application, Plaintiff failed to submit an inmate account statement and, therefore, the Court denied his application. *Id.* The Court allowed Plaintiff until July 29, 2015, to submit the completed application, with the inmate statement and financial certificate, or to pay the filing fee. *Id.*, at 2.

....

1 Plaintiff's second application to proceed *in forma pauperis* is incomplete and, in fact,
2 contains the same deficiency as his first application. He has again failed to submit an inmate account
3 statement. *See* Docket No. 3. As such, Plaintiff's second *in forma pauperis* application is denied
4 without prejudice.

5 The Court will continue to retain Plaintiff's writ (Docket No. 1-1), but will not file it until
6 the matter of the payment of the filing fee is resolved. Plaintiff will be granted one final opportunity
7 to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the
8 full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma*
9 *pauperis*, he must file a fully complete application to proceed *in forma pauperis*.

10 Accordingly,

11 **IT IS ORDERED:**

12 1. Plaintiff's Application to Proceed *In Forma Pauperis* (Docket No. 3) is **DENIED**
13 **WITHOUT PREJUDICE**. The Clerk of Court shall mail Plaintiff the approved
14 form application to proceed *in forma pauperis* by a prisoner, as well as the document
15 entitled information and instructions for filing an *in forma pauperis* application, and
16 Plaintiff shall have until **August 27, 2015**, in which to submit the completed
17 application or pay the filing fee. Failure to comply with this order in full will result
18 in a recommendation to the district judge for dismissal.

19 2. The Clerk of Court shall retain Plaintiff's writ.

20 DATED: July 28, 2015.

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NANCY J. KOPPE
United States Magistrate Judge